

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Virgin Mobile, USA, L.P.'s Petition)	WC Docket No. 09-197
To Modify Lifeline Certification Methods)	
In its Limited ETC Designation)	
Compliance Plan)	

**COMMENTS OF THE
PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA**

The Public Service Commission of the District of Columbia ("DCPSC") hereby submits its Comments concerning the Petition filed by Virgin Mobile USA, L.P. ("Virgin Mobile") to amend its compliance plan regarding the verification of Lifeline customer eligibility.¹ While the DCPSC supports the goal of reaching additional Lifeline-eligible customers through wireless Lifeline services, the DCPSC is concerned that the additional application processes proposed by Virgin Mobile may increase the possibility of fraud in the Lifeline program.

In the order designating Virgin Mobile as an eligible telecommunications carrier ("ETC") for Lifeline service, the FCC required Virgin Mobile to, *inter alia*, develop a plan for customer eligibility certification that would include direct contact with customers.² The Commission subsequently approved Virgin Mobile's compliance plan, which included a requirement that a potential customer contact Virgin Mobile to be

¹ *In the Matter of Virgin Mobile USA, L.P.'s Petition to Modify Lifeline Certification Methods in its Limited ETC Designation Compliance Plan*, ("Virgin Mobile Petition"), filed March 4, 2010.

² *Federal-State Joint Board on Universal Service; In the Matter of Virgin Mobile USA, L.P. Petition for Forbearance from 47 U.S.C. § 214(e)(1)(A); Petitions for Designation as an Eligible Telecommunications Carrier in the States of New York, North Carolina, Pennsylvania, Tennessee, and Virginia*, Order, FCC 09-18, (rel. March 5, 2009).

mailed an application for Lifeline service, so that the customer could complete the application and submit appropriate documentation of eligibility and a signed statement signed under penalty of perjury that the customer receives no other Lifeline service.³ In its Petition, Virgin Mobile proposes to establish additional application processes in which a customer could contact Virgin Mobile through the Internet or by telephone for immediate determination of eligibility without the submission of documentation of eligibility.⁴

While the DCPSC supports facilitating the Lifeline certification process to enable eligible customers to obtain this service in a timely fashion, the DCPSC is concerned that the processes proposed by Virgin Mobile in its Petition would lead to non-eligible customers receiving Lifeline service. Under Virgin Mobile's current process, potential customers must demonstrate their eligibility by providing documentation of their eligibility for Lifeline service. Under the proposed processes, there is no method for obtaining documentation of eligibility, which will facilitate the receipt of Lifeline services by non-eligible customers. Additionally, there is no way to determine if a potential customer is receiving Lifeline support from ETCs other than Virgin Mobile, a problem that will be exacerbated by the entry of multiple wireless carriers into the Lifeline marketplace. Both increasing the number of wireless ETCs and loosening the processes to demonstrate eligibility could lead to greater fraud in the Lifeline program, as non-eligible customers obtain Lifeline services simultaneously from multiple ETCs.

³ *Federal-State Joint Board on Universal Service; In the Matter of Virgin Mobile USA, L.P. Petition for Forbearance from 47 U.S.C. § 214(e)(1)(A); Petitions for Designation as an Eligible Telecommunications Carrier in the States of New York, North Carolina, Pennsylvania, Tennessee, and Virginia*, Order, DA-2344 (re. October 29, 2009).

⁴ Petition at 2-3.

The District of Columbia has its own Universal Service Trust Fund (“DC USTF”), funded by wireline telecommunications service providers operating in the District of Columbia. The DC USTF funds Lifeline service for wireline ETCs that have obtained designation from the DCPSC. The verification of Lifeline eligibility is performed by the District Department of the Environment/Energy Office, not by the ETCs. This independent verification process minimizes the potential for fraud in the DC USTF, since customers must provide documentation of eligibility. With the recent designation of a second wireline ETC, the DCPSC is committed to developing processes for preventing eligible customers from obtaining Lifeline service from both of the District’s wireline ETCs. Accordingly, the DCPSC respectfully requests the Commission to deny approval of Virgin Mobile’s Petition to use any method to add new Lifeline service customers that do not submit appropriate documentation of eligibility and a statement signed under penalty of perjury that the customer does not receive Lifeline service from any other wireline or wireless carrier. Furthermore, in light of the issues raised by this Petition and their applicability to other wireline and wireless ETCs, the DCPSC recommends that the Commission refer this matter to the Federal-State Joint Board on Universal Service to investigate and recommend: (1) enforceable procedures by which ETCs should verify the eligibility of new customers and the annual re-verification of existing customers for wireline and wireless voice communications services⁵, broadband Internet access services, and Voice Over Internet Protocol services⁶;

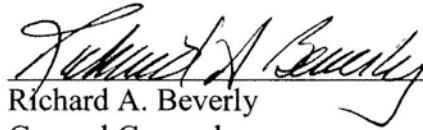
⁵ This recommendation is consistent with the “Resolution on Lifeline Service Verification”; by the National Association of Regulatory Utility Commissioners; adopted on November 18, 2009.

⁶ The FCC’s “National Broadband Plan”; released March 16, 2010; Recommendation 9.1, page 172, recommended that “The FCC should expand Lifeline Assistance and Link-Up America to make broadband more affordable for low-income households.” And later, at page 173 the National Broadband Plan, recommended that “The FCC should also work with the states and providers to clarify obligations and

and (2) how such procedures should be coordinated with the certification, verification and annual re-certification and re-verification requirements of the states' Lifeline service programs.

The DCPSC appreciates the opportunity to submit Comments in this proceeding.

Respectfully submitted,


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April 14, 2010